

officers and employes of the First Called Session of the Thirty-first Legislature.

Sec. 2. The certificate of the Secretary of the Senate, approved by the President thereof, or of the Chief Clerk of the House, approved by the Speaker thereof, shall be sufficient evidence to the Comptroller upon which he shall audit the claims and issue the warrants upon the Treasurer for the respective amounts.

Sec. 3. Whereas, The First Called Session of the Thirty-first Legislature is now in session, and public policy requires their payment, therefore an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted.

#### SIXTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, March 22, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

The roll was called, a quorum being present, the following Senators answering to their names:

Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Murray.	

Absent.

Adams. Sturgeon.  
Meachum.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

#### EXCUSED.

On account of important business:  
Senator Masterson for last Wednesday,

Thursday and Friday, on motion of Senator Alexander.

On account of sickness:  
Senator Weinert for all of last week,  
on motion of Senator Murray.

#### INVITATION TO VISIT UVALDE.

By Senator Hudspeth:

March 19, 1909.

To Hon. A. B. Davidson, Lieutenant Governor, and the Senators of the Great State of Texas—Greetings.

Gentlemen: Thursday, March 25, A. D. 1909, having been set apart by the citizens of the city of Uvalde as a holiday and day of celebration, proclamations having been issued by the honorable mayor, Business Men's Club and Uvalde Boosters Club to make that a general celebration day. We, on behalf of the citizens of Uvalde and Uvalde county, beg to extend to you a most cordial invitation to be present and celebrate with us on that date and enjoy our hospitality.

A special excursion train will be run from San Antonio, leaving there at 8 a. m. Thursday, the 25th, and returning that afternoon so that you need not be away from Austin but one day.

Hoping that you will accept our invitation and honor us with your presence and assist us in making this the greatest day in the history of the city of Uvalde, we beg to remain,

Very respectfully yours,

MAT BURNEY,  
Mayor.

J. H. SHOPE,  
President Business Men's Club.  
M. M. McFARLAND,  
President Uvalde Boosters Club.

On motion of Senator Hudspeth, the above invitation was accepted.

#### BILLS AND RESOLUTIONS.

By Senator Alexander:

Senate bill No. 33, A bill to be entitled "An Act to provide for the establishment and maintenance of an Agricultural Experiment Station in the Thirtieth Senatorial District, and making the necessary appropriation therefor, and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Greer:

Senate bill No. 39, A bill to be entitled "An Act to provide for the establishment and maintenance of an Agricultural Experiment Station in the Thirty-second Representative District, and making the necessary appropriation therefor, and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Harper:

Senate bill No. 40, A bill to be entitled "An Act to authorize and empower any party to any cause, or his attorney of record, to print or typewrite or cause to be printed or typewritten the transcript of the record in any cause on appeal or writ of error, and requiring the clerk of the trial court to proof-read and certify to the same, and providing for his compensation for the same."

Read first time, and referred to Judiciary Committee No. 1.

By Senators Real and Alexander:

Senate bill No. 41, A bill to be entitled "An Act creating the office of State Fire Marshal, and defining his powers and duties, and providing for the investigation of fires for the purpose of ascertaining the cause thereof, and prescribing the duties of certain officers in connection with such investigation, and of school teachers respecting fire protection, and amending Section 8 of Chapter 18 of the General Laws of the First Called Session of the Thirtieth Legislature so as to increase the rate of taxes on fire insurance companies, and provide an additional tax sufficient to defray the expenses incurred by the maintenance of the office of State Fire Marshal and the performance of his duties as herein defined; providing penalties for violations of certain provisions of this act, and declaring an emergency."

Read first time, and referred to Committee on Insurance, Statistics and History.

By Senator Senter:

Senate bill No. 42, A bill to be entitled "An Act to regulate the practice and procedure in the trial of civil causes in the district and county courts, and the filing of such causes, and the issuance and service of citation, the entry of appearance, the filing of answers, the calls for juries, the granting of continuances, the filing service and hearing of motions and demurrers, taking of testimony, the giving of instructions to juries, the form of the verdict, the conduct of the jury,

the filing and hearing of motions for new trials, the impeachment of verdicts by jurors and hearings thereon, the effect to be given to errors in procedure, the filing of statements of facts and bills of exception, the allowance and the effect of appeals upon the orders and decrees of the court and the making up of the transcript in such causes, and the entry of orders and trial of causes by the judges of the district courts in vacation, and the entry and enforcement of rules for costs and repealing all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Senter:

Senate bill No. 43, A bill to be entitled "An Act to regulate the pleadings in civil suits in the district and county courts, and declaring the effect thereof, and regulating the time and manner of filing the same and amendments thereof, and the time and manner of notices to adverse parties, and the hearings thereon, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Senter:

Senate bill No. 44, A bill to be entitled "An Act to regulate the practice and procedure in the hearing of causes on appeal to the Courts of Civil Appeals and the Supreme Court, and to prescribe and fix limitations upon writs of error from the Supreme Court, and providing for the certification of questions by judges of the Courts of Civil Appeals to the Supreme Court, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senators Peeler, Paulus and Bryan:

Senate bill No. 45, A bill to be entitled "An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice and to insure the better education of practitioners, and to insure better sanitary conditions in barber shops, and to prevent the spread of disease in the State of Texas, and to repeal all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

Morning call concluded.

(By unanimous consent, after the morning call had been concluded, and referred by President Pro Tem. Brachfield.)

By Senators Perkins and Alexander:

Senate bill No. 46, A bill to be entitled "An Act making it a felony to pursue the occupation or business of selling intoxicating liquor except as permitted by law in any territory in this State where the sale of intoxicating liquor has been prohibited by law; prescribing suitable punishment for the violation of this act; defining such business or pursuit, and providing rules of evidence in prosecutions arising hereunder."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Senter:

Senate bill No. 47, A bill to be entitled "An Act to regulate and fix the terms of each judicial district in the State which contains no more than one county, and the practice and procedure in such courts, and providing for default judgments therein, and regulating the times for trials therein, and applications for postponements thereof, and the appointment of jury commissioners, and the selection and service of jurors therein, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

#### SIMPLE RESOLUTION.

By Senator Brachfield:

Whereas, The Hon. W. J. Bryan has informed the Governor of this State his willingness to accept a former invitation to address the Legislature on April 5, 1909; therefore, be it

Resolved, That a committee of five be appointed by the President of the Senate to act with a like committee from the House to make arrangements for a joint meeting of both houses for the purpose of attending upon this occasion.

The resolution was read and adopted.

In accordance with the above resolution, the Chair appointed the following special committee:

Senators Brachfield, Hume, Willacy, Stokes and Peeler.

By Senator Holsey:

Whereas, Senate bill No. 8 is a very important measure and should be adopted to meet the conditions in all parts of this State; and

Whereas, This body has discussed that measure for more than a day and has not reached beyond Section 1; therefore, be it

Resolved, That Senate bill No. 8 be referred to a committee of five to be appointed by the President of the Senate to revise and report said bill back to the Senate by Wednesday morning at 10 o'clock.

The resolution was read and lost.

#### SENATE BILL NO. 36.

Pending business being Senate bill No. 8, the Chair so stated, and

On motion of Senator Senter, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 36, by the following vote:

Yeas—23.

Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Watson.
Masterson.	Weinert.
Murray.	Willacy.

Absent.

Adams.	Paulus.
Hayter.	Sturgeon.
Mayfield.	Ward.
Meachum.	

Absent—Excused.

Harper.

The Chair laid before the Senate, on second reading,

Senate bill No. 36, A bill to be entitled "An Act to promote the speedy administration of justice in each of the counties of this State which contains a city or cities with a population of not less than 25,000 as shown by the last Federal census, and which county also contains as many as three district courts with civil jurisdiction only, one district court with criminal jurisdiction only, and a county court and a county court at law, and to establish and create in each of such cities so situated and containing a population of not less than 25,000, a State court to be known as the 'county corporation court' of such county, and to prescribe the jurisdic-

tion and organization and powers thereof, and the procedure therein; and providing for the election or appointment of a judge or recorder and for an attorney and clerk for said court, and for assistants and deputies for such attorney and clerk, and prescribing the duties and powers of such officers, and providing for their compensation, and providing for the taking of appeals directly from said court to the Court of Criminal Appeals, and for the procedure on such appeals, and for the making of the records therein, and for the enforcement of the judgments of said county corporation court, and for the care and custody and service of prisoners pending trial or under conviction in said court, or doing punishment under judgment of said court, and providing that the court herein established and created shall supersede any corporation or municipal court in any city to which the provisions of this act apply, and abolishing the offices created by any other act; establishing a corporation or municipal court in any city to which the provisions of this act apply, and declaring an emergency."

On motion of Senator Senter, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report) by the following vote:

## Yeas—23.

Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Watson.
Kellie.	Weinert.
Masterson.	Willacy.
Murray.	

## Absent.

Adams.	Paulus.
Hayter.	Sturgeon.
Mayfield.	Ward.
Meachum.	

Bill read second time, and ordered engrossed.

On motion of Senator Senter, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

S1—3

## Yeas—23.

Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Watson.
Masterson.	Weinert.
Murray.	Willacy.

## Absent.

Adams.	Meachum.
Hayter.	Sturgeon.
Mayfield.	Ward.

The bill was read third time, and passed by the following vote:

## Yeas—23.

Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Watson.
Kellie.	Weinert.
Masterson.	Willacy.
Murray.	

## Absent.

Adams.	Paulus.
Hayter.	Sturgeon.
Mayfield.	Ward.
Meachum.	

Senator Senter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 8.

The Chair laid before the Senate, on second reading as pending business,

Senate bill No. 8, A bill to be entitled "An Act to abolish the Department of Public Health and Vital Statistics, and to establish instead a State Board of Health."

The question on the bill was the following pending amendment and amendment to the amendment:

Amend the bill by adding at the end of line 30, page 3, the following: "In all instances except the Live Stock Sanitary Commission of Texas, and in all

matters coming before this Commission, their present powers shall not be in any way interfered with."

Amend the amendment by inserting after the words "Live Stock Sanitary Commissioner," "and the Pure Food Commissioner."

Senator Murray offered the following substitute for the amendment and the amendment to the amendment:

Amend the bill, line 30, page 3, by adding the following, after the word "pursued."

"In all matters affecting the duties of the Live Stock Sanitary Commission and the Pure Food Commissioner, the decision of such officers shall be supreme, and their present powers and duties shall not be in any manner interfered with, except that in matters affecting the health of the human race, the rules and regulations of the Board of Health shall be enforced by such officers."

Senator Terrell of Bowie made the point of order on the substitute that it was not germane to the bill as to the part attempted to be amended by the amendment and the amendment to the amendment.

The Chair overruled the point of order.

(Senator Peeler in the chair.)

Senator Terrell of Bowie moved to table the substitute, which motion to table was lost by the following vote:

Yeas—8.

Alexander.	Terrell of Bowie.
Bryan.	Terrell of McLennan.
Hayter.	Veale.
Hudspeth.	Willacy.

Nays—18.

Brachfield.	Murray.
Cofer.	Peeler.
Greer.	Perkins.
Harper.	Real.
Holsey.	Senter.
Hume.	Stokes.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.

Absent.

Adams.	Paulus.
Meachum.	Sturgeon.

The substitute was then adopted.

The amendment, as substituted, was then adopted.

There being no other amendments to Section 1 of the bill, Section 2 was then considered.

Senator Holsey offered the following amendment:

Amend the bill, Section 2, page 4, line 3, by striking out "\$3600" and inserting in lieu thereof "\$2500."

HOLSEY,  
WARD,  
PERKINS,  
COFER,  
MURRAY,  
GREER.

Senator Hayter offered the following amendment to the amendment:

Amend the amendment by substituting "\$3000" for "\$2500."

Senator Watson offered the following substitute for both the above amendments:

Amend Section 2 by striking out "\$3600" and insert in lieu thereof "\$6000."

The substitute was read, and lost by the following vote:

Yeas—2.

Hudspeth.	Watson.
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Nays—24.

Alexander.	Murray.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Weinert.
Mayfield.	Willacy.

Absent.

Adams.	Paulus.
Meachum.	Sturgeon.

Action recurred on the amendment to the amendment, which was adopted by the following vote:

Yeas—17.

Alexander.	Real.
Bryan.	Senter.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Watson.
Kellie.	Weinert.
Masterson.	Willacy.
Peeler.	

Nays—9.

Brachfield.	Greer.
Cofer.	Holsey.

Mayfield.  
Murray.  
Perkins.

Stokes.  
Ward.

Absent.

Adams.  
Meachum.

Paulus.  
Sturgeon.

Action then recurred on the amendment, as amended, and

Senator Terrell of Bowie moved to table same, which motion to table was lost by the following vote:

Yeas—9.

Alexander.  
Bryan.  
Harper.  
Holsey.  
Hudspeth.

Kellie.  
Terrell of Bowie.  
Terrell of McLennan.  
Watson.

Nays—17.

Brachfield.  
Cofer.  
Greer.  
Hayter.  
Hume.  
Masterson.  
Mayfield.  
Murray.  
Peeler.

Perkins.  
Real.  
Senter.  
Stokes.  
Veale.  
Ward.  
Weinert.  
Willacy.

Absent.

Adams.  
Meachum.

Paulus.  
Sturgeon.

The amendment, as amended, was then adopted.

Senator Ward offered the following amendment:

Amend the bill by striking out the dollar mark and figures "\$10," in line 7, page 4, and insert "\$5."

WARD,  
GREER,  
COFER,  
HOLSEY.

The amendment was read and lost.

There being no other amendments to Section 2 and none for Section 3, these sections were passed and Section 4 was taken up.

Senator Willacy offered the following amendment, which was read and adopted.

Amend by striking out all of Section 4 and insert the following: "Section 4. The President of the board shall appoint with the approval of the Governor, such officers and assistants as may be authorized and provided for at each biennial session of the Legislature."

Here the Senate was at ease for ten minutes, on motion of Senator Hudspeth.

After the Senate was again called to order, there was no other amendments

to Section 4, and Section 5 was taken up. (Lieutenant Governor Davidson in the chair.)

Senator Cofer offered the following amendment:

Line 2, page 6, add at end of Section 5, after the word "companies," the words "while engaged in performance of their duties."

Senator Terrell of Bowie offered the following substitute for the amendment:

Amend the bill by striking out Section 5.

(President Pro Tem. Brachfield in the chair.)

Senator Senter moved to table the substitute, which motion to table was adopted.

Senator Watson offered the following amendment to the amendments:

Amend the amendment by adding after the word "duties," the following: "And also all elective peace officers in the State of Texas."

WATSON,  
PERKINS.

Senator Harper raised the point of order that the amendment to the amendment was not germane to the bill.

The Chair (Senator Brachfield) sustained the point of order.

Senator Terrell of Bowie offered the following substitute for the amendment:

Amend the bill by striking out line 32, page 5, and insert in lieu thereof the following: "All officers and inspectors of said Board of Health may."

Pending.

#### SENATE BILL NO. 27.

On motion of Senator Veale, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 27 by the following vote:

Yeas—26.

Alexander.  
Brachfield.  
Bryan.  
Cofer.  
Greer.  
Harper.  
Hayter.  
Holsey.  
Hudspeth.  
Hume.  
Kellie.  
Masterson.  
Mayfield.

Murray.  
Peeler.  
Perkins.  
Real.  
Senter.  
Stokes.  
Terrell of Bowie.  
Terrell of McLennan.  
Veale.  
Ward.  
Watson.  
Weinert.  
Willacy.

## Absent.

Adams. Paulus.  
Meachum. Sturgeon.

On motion of Senator Veale, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report) by the following vote:

## Yeas—26.

Alexander. Murray.  
Brachfield. Peeler.  
Bryan. Perkins.  
Cofer. Real.  
Greer. Senter.  
Harper. Stokes.  
Hayter. Terrell of Bowie.  
Holsey. Terrell of McLennan.  
Hudspeth. Veale.  
Hume. Ward.  
Kellie. Watson.  
Masterson. Weinert.  
Mayfield. Willacy.

## Absent.

Adams. Paulus.  
Meachum. Sturgeon.

The Chair laid before the Senate, on second reading,

Senate bill No. 27, A bill to be entitled "An Act providing for the establishment of an experimental station for the purpose of conducting experiments in agriculture, horticulture and forestry; said station to be located in the Twenty-ninth Senatorial District."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—25.

Alexander. Paulus.  
Brachfield. Peeler.  
Bryan. Perkins.  
Cofer. Real.  
Greer. Senter.  
Harper. Stokes.  
Hayter. Terrell of McLennan  
Holsey. Veale.  
Hudspeth. Ward.  
Hume. Watson.  
Kellie. Weinert.  
Mayfield. Willacy.  
Murray.

## Absent.

Adams. Sturgeon.  
Masterson. Terrell of Bowie.  
Meachum.

The bill was read third time, and passed by the following vote:

## Yeas—26.

Alexander. Paulus.  
Brachfield. Peeler.  
Bryan. Perkins.  
Cofer. Real.  
Greer. Senter.  
Harper. Stokes.  
Hayter. Terrell of Bowie.  
Holsey. Terrell of McLennan.  
Hudspeth. Veale.  
Hume. Ward.  
Kellie. Watson.  
Mayfield. Weinert.  
Murray. Willacy.

## Absent.

Adams. Meachum.  
Masterson. Sturgeon.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 31.

On motion of Senator Bryan, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 31, by the following vote:

## Yeas—25.

Alexander. Peeler.  
Brachfield. Perkins.  
Bryan. Real.  
Cofer. Senter.  
Greer. Stokes.  
Harper. Terrell of Bowie.  
Hayter. Terrell of McLennan.  
Holsey. Veale.  
Hudspeth. Ward.  
Hume. Watson.  
Kellie. Weinert.  
Mayfield. Willacy.  
Paulus.

## Absent.

Adams. Murray.  
Masterson. Sturgeon.  
Meachum.

On motion of Senator Bryan, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill

(see Appendix for committee report), by the following vote:

## Yeas—24.

Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Harper.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Paulus.	Willacy.

## Absent.

Adams.	Meachum.
Greer.	Murray.
Masterson.	Sturgeon.

The Chair laid before the Senate, on second reading,

Senate bill No. 31, A bill to be entitled "An Act providing for the establishment of an additional experimental station for the purpose of conducting experiments in agriculture, horticulture and forestry, said station to be located in the Twenty-eighth Senatorial District."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Bryan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Harper.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Paulus.	Willacy.

## Absent.

Adams.	Meachum.
Greer.	Murray.
Masterson.	Sturgeon.

The bill was read third time, and passed by the following vote:

## Yeas—24.

Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Harper.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Paulus.	Willacy.

## Absent.

Adams.	Meachum.
Greer.	Murray.
Masterson.	Sturgeon.

Senator Bryan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 38.

On motion of Senator Alexander, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 38 by the following vote:

## Yeas—23.

Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Harper.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Paulus.	Willacy.
Peeler.	

## Nays—1.

Brachfield.

## Absent.

Adams.	Meachum.
Greer.	Murray.
Masterson.	Sturgeon.

On motion of Senator Alexander, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its second reading by the following vote:

## Yeas—22.

Alexander.	Cofer.
Bryan.	Hayter.

Holsey.	Senter.
Hudspeth.	Stokes.
Hume.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Mayfield.	Veale.
Paulus.	Ward.
Peeler.	Watson.
Perkins.	Weinert.
Real.	Willacy.

Nays—2.

Brachfield. Harper.

Absent.

Adams.	Meachum.
Greer.	Murray.
Masterson.	Sturgeon.

On motion of Senator Alexander, the Senate rule requiring committee reports to lie over for one day, was suspended, for the purpose of considering this bill (see Appendix for committee report) by the following vote:

Yeas—21.

Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Hayter.	Stokes.
Holsey.	Terrell of Bowie.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Paulus.	Willacy.
Peeler.	

Nays—2.

Brachfield. Harper.

Absent.

Adams.	Murray.
Greer.	Sturgeon.
Masterson.	Terrell of McLennan.
Meachum.	

The Chair laid before the Senate, on second reading,

Senate bill No. 38 (see "Bills and Resolutions" for caption of).

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Alexander, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—20.

Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Hayter.	Stokes.
Hudspeth.	Terrell of Bowie.
Hume.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Paulus.	Weinert.
Peeler.	Willacy.

Nays—3.

Brachfield. Holsey.

Absent.

Adams.	Murray.
Greer.	Sturgeon.
Masterson.	Terrell of McLennan.
Meachum.	

The bill was read third time, and passed by the following vote:

Yeas—20.

Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Hayter.	Stokes.
Hudspeth.	Terrell of Bowie.
Hume.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Paulus.	Weinert.
Peeler.	Willacy.

Nays—3.

Brachfield. Holsey.

Absent.

Adams.	Murray.
Greer.	Sturgeon.
Masterson.	Terrell of McLennan.
Meachum.	

Senator Alexander moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### ADJOURNMENT.

On motion of Senator Kellie, the Senate, at 1:15 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

## APPENDIX.

(Floor Report.)

Austin, Texas, March 22, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 39, A bill to be entitled "An Act to provide for the establishment and maintenance of an Agricultural Experiment Station in the Thirty-second Representative District, and making the necessary appropriation therefor, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Mayfield, Chairman; Cofer, Paulus, Kellie, Willacy, Holsey, Perkins.

(Floor Report.)

Austin, Texas, March 22, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 38, A bill to be entitled "An Act to provide for the establishment and maintenance of an Agricultural Experiment Station in the Thirtieth Senatorial District, and making the necessary appropriation therefor, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Mayfield, Chairman; Cofer, Paulus, Kellie, Murray, Perkins, Willacy.

(Floor Report.)

Austin, Texas, March 22, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 31, A bill to be entitled "An Act providing for the establishment of an additional experiment station for the purpose of conducting experiments in agriculture, horticulture and forestry, said station to be located in the Twenty-eighth Senatorial District,"

Have had the same under consideration, and beg leave to report it back

to the Senate with the recommendation that it do pass, and be not printed.

Mayfield, Chairman; Willacy, Perkins, Cofer, Murray, Kellie.

(Floor Report.)

Austin, Texas, March 22, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 34, A bill to be entitled "An Act providing for the establishment of an additional experimental station for the purpose of conducting experiments in agriculture, horticulture and forestry, said station to be located in the Fifteenth Senatorial District,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Mayfield, Chairman; Perkins, Cofer, Murray, Kellie, Willacy.

(Floor Report.)

Austin, Texas, March 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 27, A bill to be entitled "An Act providing for the establishment of an experimental station for the purpose of conducting experiments in agriculture, horticulture and forestry, said station to be located in the Twentieth Senatorial District,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Mayfield, Chairman; Cofer, Kellie, Murray, Perkins, Willacy.

Committee Room,

Austin, Texas, March 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 36, A bill to be entitled "An Act to promote the speedy administration of justice in each of the counties of this State which contains a city or cities with a population of not less than 25,000 as shown by the last Federal census, and which county also contains as many as three district courts with civil jurisdiction only, one district court with criminal jurisdiction only, and a

county court and a county court at law, and to establish and create in each of such cities so situated and containing a population of not less than 25,000 a State court to be known as the County Corporation Court of such county, and to prescribe the jurisdiction and organization and power thereof, and the procedure therein, and providing for the election or appointment of a judge or recorder and for an attorney and clerk for said court, and for assistants and deputies for such attorney and clerk, and prescribing the duties and powers of such officers, and providing for their compensation, and providing for the taking of appeals directly from said court to the Court of Criminal Appeals, and for the procedure on such appeals, and for the making of the records therein, and for the enforcement of the judgments of said county corporation court, and for the care and custody and service of prisoners pending trial or under conviction in said court or doing punishment under judgment of said court, and providing that the court herein established and created shall supersede any corporation or municipal court in any city to which the provisions of this act apply, and abolishing the offices created by any other act establishing a corporation or municipal court in any city to which the provisions of this act apply, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MEACHUM, Chairman.

Committee Room,  
Austin, Texas, March 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 32, A bill to be entitled "An Act to amend Chapter 4 of Title 28 of the Revised Civil Statutes of the State of Texas by adding thereto Article 1111a, providing that when the time prescribed by law for the ending of a regular or special term of any district court shall occur during the trial of a cause, the term shall be extended for such additional length of time as may be necessary to allow such trial to be concluded, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MEACHUM, Chairman.

Committee Room,  
Austin, Texas, March 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 22, A bill to be entitled "An Act to amend Article 2256, Title 39, Chapter 31 of the Revised Civil Statutes of 1895, relating to appeals to the district court in probate cases, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MEACHUM, Chairman.

Committee Room,  
Austin, Texas, March 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 33, A bill to be entitled "An Act to amend Chapter 3 of Title 28 of the Revised Civil Statutes of the State of Texas, by adding thereto Article 1107a, empowering judges of the district court to act in vacation, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MEACHUM, Chairman.

Committee Room,  
Austin, Texas, March 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 20, A bill to be entitled "An Act to validate sales of real estate within this State, heretofore made by foreign executors of wills probated in any of the States of the United States,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MEACHUM, Chairman.

Committee Room,  
Austin, Texas, March 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 26, A bill to be entitled "An Act to amend Sections 6 and 11 of Chapter 94 of the Acts of the Twenty-eighth Legislature, page 119, entitled

'An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of the same, and to promote free competition in the State of Texas, and to repeal all laws in conflict therewith'; providing venue; providing punishment for violations thereof; fixing compensation, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MEACHUM, Chairman.

Committee Room,  
Austin, Texas, March 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 21, A bill to be entitled "An Act to amend Articles 2534 and 2535, Title 49 of the Revised Civil Statutes of 1895, relating to appeals in case of forcible entry and detainer, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MEACHUM, Chairman.

Committee Room,  
Austin, Texas, March 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 29, A bill to be entitled "An Act to amend Subdivision 3 of Section 1 of Chapter 107 of the Acts of the Regular Session of the Thirtieth Legislature, pertaining to Article 2989, Title 56 of the Revised Civil Statutes, with respect to the granting of injunctions, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MEACHUM, Chairman.

Committee Room,  
Austin, Texas, March 20, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to was referred

Senate bill No. 37, A bill to be entitled

"An Act imposing an occupation tax upon life insurance companies not organized under the laws of this State, and fixing the rate of such tax, and prescribing the method of its collection, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WILLACY, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, March 20, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to was referred

Senate bill No. 18, A bill to be entitled "An Act making an appropriation for the recovery of lands belonging to or claimed for the public schools and other lands of the State of Texas, and for the enforcement of any and all laws of the State of Texas concerning public lands or lands belonging to the State of Texas, or to any of its special funds or institutions; providing the manner of expending such appropriation, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WILLACY, Chairman.

(Minority Report.)

Austin, Texas, March 20, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: A minority of your Finance Committee, to whom was referred

Senate bill No. 18, A bill to be entitled "An Act making an appropriation for the recovery of lands belonging to or claimed for the public schools and other lands of the State of Texas, and for the enforcement of any and all laws of the State of Texas concerning public lands or lands belonging to the State of Texas, or to any of its special funds or institutions; providing the manner of expending such appropriation, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following amendment:

Amend by adding at the end of Section 1 the following:

"Provided none of said money shall ever be paid out or expended for the

purpose of instituting or maintaining any suit by the State for such lands that are held and owned by an actual settler and an actual settler, for the purpose of this act only is defined to be any person who claims such lands under a claim of title from the State down beginning with the issuance of a patent by the General Land Office; and none of such money shall be expended in securing evidence for the purpose of developing such suits."

TERRELL of Bowie.

Committee Room,  
Austin, Texas, March 22, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 36, A bill to be entitled "An Act to promote the speedy administration of justice in each of the counties of this State which contains a city or cities with a population of not less than 25,000, as shown by the last Federal census, and which county also contains as many as three district courts with civil jurisdiction only, one district court with criminal jurisdiction only, and a county court and a county court at law, and to establish and create in each of such cities so situated and containing a population of not less than 25,000 a State court to be known as the 'County Corporation Court' of such county, and to prescribe the jurisdiction and organization and powers thereof, and the procedure therein, and providing for the election or appointment of a judge or recorder and for an attorney and clerk for said court, and for assistants and deputies for such attorney and clerk, and prescribing the duties and powers of such officers, and providing for their compensation, and providing for the taking of appeals directly from said court to the Court of Criminal Appeals, and for the procedure on such appeals, and for the making of the records therein and for the enforcement of the judgments of said County Corporation Court, and for the care and custody and service of prisoners pending trial or under conviction in said court, or doing punishment under judgment of said court, and providing that the court herein established and created shall supersede any corporation or municipal court in any city to which the provisions of this act apply, and abolishing the offices created by any other act establishing a corpora-

tion or municipal court in any city to which the provisions of this act apply, and declaring an emergency,"

And find the same correctly engrossed.  
WARD, Chairman.

#### PETITIONS AND MEMORIALS.

By Senator Alexander:

Petitions of Tarrant county, protesting against the power conferred by Section 11 of Board of Health bill.

#### SEVENTH DAY.

Senate Chamber,  
Austin, Texas,

Tuesday, March 23, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.

Absent.

Meachum. Stokes.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer, the same was dispensed with.

#### EXCUSED.

On account of important business:

Senator Adams for yesterday, on motion of Senator Watson.

#### RESIGNATION OF STENOGRAPHER.

To Hon. A. B. Davidson, President of the Senate.

Sir: I respectfully tender my resignation as stenographer of the Senate to take effect immediately, and in doing